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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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EDMUND G. BROWN JR.
GOVERNOR

February 19, 2016

Dena Murphy, Interim Director
Kern County Department of Human Services
100 E. California Ave.
P.O. Box 511
Bakersfield, CA 93307

Dear Ms. Murphy:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewer from our office during the course of the Civil Rights Compliance Review of June 15-19, 2015. Enclosed is the final report on the review. We apologize for the delay.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a Corrective Action Plan (CAP). Please submit your CAP within 60 days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the enclosed report.

Please submit your CAP in both hardcopy and, in an effort to comply with ADA website accessibility, we also require the CAP to be submitted electronically as a Word document via email at crb@dss.ca.gov.

We will provide a copy of your report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it becomes a public document as well. In addition, these documents are published on our website at <http://www.cdss.ca.gov/civilrights/PG2890.htm>.

If you need technical assistance in the development of your CAP, please feel free to contact Elsa Vazquez at (916) 654-2110. You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

Original signed by Civil Rights Bureau Chief

JIM TASHIMA, Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Dianne L. Rosso, Civil Rights Coordinator

Kim McCoy Wade, Chief
CalFresh Policy Bureau

Carlos Ocampo, Chief
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Coalition of California Welfare Rights Organizations, Inc.

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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
KERN COUNTY DEPARTMENT OF HUMAN SERVICES**

**Conducted on
June 15, 2015 – June 19, 2015**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
744 P Street, M.S. 8-16-70
Sacramento, CA 95814
(916) 654-2107**

Reviewer: Elsa Vazquez

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Kern County Department of Human Services (KCDHS) with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An exit interview was held on June 19, 2015, to review the preliminary findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
OC Sills	100 E. California Ave, Bakersfield	CalFresh, Employment, CPS, and SIU	Spanish
Ridgecrest	145 E. Ridgecrest, Ridgecrest	CalFresh, CalWorks	Spanish
Mojave CVC	2360 HWY 58, Mojave	CalFresh, CalWorks	Spanish
Kinship	3041 Wilson Rd, Bakersfield	CalFresh	—

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2015 Civil Rights Compliance Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.
- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the county.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections
- Discussion with community advocates. In this review the following organization(s) were contacted for feedback.

WESTERN CENTER ON LAW & POVERTY
 3701 Wilshire Boulevard, Suite 208
 Los Angeles, CA 90010-2826
 Direct: (213) 235-2629
 Fax: (213) 487-0242
 Website: <http://www.wclp.org>

Law Offices of GREATER BAKERSFIELD LEGAL ASSISTANCE, INC.
 615 California Avenue, Bakersfield, CA 93304
 Phone: (661) 325-5943 – Fax: (661) 325-4482

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	7	2
Children Social Workers	2	0
Employment Workers	3	1
Receptionist/Screeners	3	1
Total	15	4

Program Manager Surveys

Number of surveys distributed	7
Number of surveys received	7

Reviewed Case Files

English speakers' case files reviewed	7
Non-English or limited-English speakers' case files reviewed	63
Languages of clients' cases	Spanish, Tagalog, Cambodian, Cantonese, Lao, ASL

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval.

Section X highlights issues pointed out by Community Input and summarizes Reviewer Observations.

Section XI of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	Yes			Applications can be mailed in or deposited in a drop box located outside the offices. Also, clients can access On-line C-IV Yourself and submit application.
Does the county have extended hours to accommodate clients?		No		
Can applicants access services when they cannot go to the office?	Yes			Applications can be submitted on-line through C-IV Yourself, also there is Drop Boxes outside the offices.
Does the county ensure the awareness of available services for individuals in remote areas?	Yes			Information is shared with Partner Agencies and Community Collaborative to ensure information is disseminated to outlying areas. There is also a marketing department that is proactive in attending community events and has access to local media sources which provides additional avenues in which information is dispersed.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub	Yes			

Signage, posters, pamphlets	Yes	No	Some-times	Comments
13 – 6/11)?				
Is the pamphlet distributed and explained to each client at intake and re-certification?	Yes			Staff interviewed stated clients receive the pamphlet at intake and re-certification.
Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi Hmong, Japanese, Korean, Lao Mien, Portuguese, Punjabi, Russian Spanish, Tagalog, Ukrainian, Vietnamese?	Yes			
If the PUB 13 is not displayed in all the languages available, is there a poster that indicates that the Pub 13 is available in all 18 languages?		No		All office sites visited for this review did not have a poster indicating that the Pub 13 is available in all 18 languages.
Was the Pub 13 available in large print (English and Spanish), audiocassette and Braille?	Yes			
Were the current versions of the required posters present in the lobbies?	Yes			
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?		No		There were three interviewees that did not know the location of posters
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?		No		At the OC Mills and Mojave Offices there is Directional and instructional signage posted which needs to be translated into the threshold language (Spanish).

B. Corrective Actions

Informational Element	Corrective Action Required
Translated Pub 13	KCDHS shall ensure that the current version of the Pub 13 is available in all languages translated by CDSS and that the available translated versions are given to the clients in their primary language. Div. 21-115.2
Directional signage	KCDHS shall ensure that instructional and directional signs are posted in waiting areas and other places that are frequented by clients and that where such areas are frequented by a substantial number of non-English-speaking clients, such signage shall be translated into appropriate languages. Div. 21-107.212 and .24

C. Recommendation

The county is required to use the latest version of each of the referenced documents. For your information, the most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	06/11
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact the Civil Rights Bureau to receive the most recent versions, or download the Pub 13 from the CRB website

<http://www.cdss.ca.gov/civilrights/entres/forms/English/pub13.pdf>.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications. The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

A. Findings and Corrective Actions

1. Facility Location: O C SILLS – Children’s Social Service Entrance, 100 E. California, Bakersfield Ca

Facility Element	Findings	Corrective Action
Parking spaces located nearest the Children Social Service Office.	<p>Accessible Van Space is too short in width at 9’.</p> <p>Access aisle does not adjoin to an accessible route to main entrance.</p> <p>Accessible parking is not located as close as possible to entrance.</p>	<p>Van Parking Space Min. Dimensions: 12’ wide by 18’ long. (CA T24 11B-502.2) (ADA 502.2) pg.176</p> <p>The parking access aisles shall adjoin an accessible route. (CA T24 11B-502.3) (ADA 502.3) pg. 176</p> <p>Parking spaces complying with the requirements of this section that serve a particular building or facility shall be located on the shortest accessible route from parking to an entrance complying with “Entrances” heading in Section 5, Accessible Routes - Scoping Requirements. (CA T24 11B-208.3.1) (ADA 208.3.1) pg. 172</p>

	<p>Signage on pavement is faded and does not clearly depict wheelchair occupant, needs to be repainted.</p> <p>The words “NO PARKING” in access aisles on pavement are faded and are also too short in height, measuring at 8” in.</p>	<p>The parking space shall be marked with an International Symbol of Accessibility...in white on a blue background - a minimum 36” wide x 36” high. (CA T24 11B-502.6.4.1) pg. 169</p> <p>The words “NO PARKING” shall be painted on the surface each access aisle. (CA T24 11B-502.3.3) pg. 176</p> <p>This notice shall be painted in white letters a min. of 12” in height and located to be visible from the adjacent vehicular way. (CA 11B-502.3.3) pg. 176</p>
Entrance signage near Children Social Service Office	<p>There is no International Symbol of Accessibility (ISA) signage at main entrance of building.</p> <p>5-second closure</p>	<p>Doorways and Gates shall be identified by the International <u>Symbol of Accessibility</u> complying with “International Symbol of Accessibility” heading in Section 57, Signs & Identification. (CA T24 11B-216.6) (ADA 216.6) pg. 28</p> <p>Pictograms and their field shall have a non-glare finish. (CA T24 11B-703.6.2) (ADA 703.6.2) pg. 376</p> <p>Pictograms shall contrast with their field with either a light pictogram on a dark field or a dark pictogram on a light field. (CA T24 11B-703.6.2) (ADA 703.6.2) pg. 376</p> <p>Door closers and gate closers shall be adjusted so that from an open position of 90° degrees, the time required to move the door to a position of</p>

		12° from the latch is 5 seconds min. (CA T24 11B-404.2.8.1) (ADA 404.2.8.1) pg. 224
Main Entrance door pressure	Door pressure is excessive at 8 lbs.	The force for pushing or pulling open a door or gate other than fire doors shall be as follows: 1. Interior hinged doors and gates: 5 lbs. max. 2. Sliding or folding doors: 5 lbs. max. 3. Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 lbs. Exterior hinged doors: 5 lbs. max. (CA T24 11B-404.2.9 (1 - 4)) (ADA 404.2.9 (1 & 2)) pg. 224
Men's Restroom	Accessible Toilet is too low at 15 ½" in.	The seat height of a water closet above the finish floor shall be 17" min. and 19" max. measured to the top of the seat. (CA T24 11B-604.4) (ADA 604.4) pg. 342
Women's Restroom	Pipes under sink are not securely insulated.	Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. (CA T24 11B-606.5) (ADA 606.5) pg. 330

2. Facility Location: OC SILLS Main Entrance, 100 E. California, Bakersfield Ca

Facility Element	Findings	Corrective Action
Parking	There is no van-accessible space near main entrance.	For every 6 or fraction of 6 parking spaces at least 1 shall be a van parking space. (CA T24 11B-208.2.4) (ADA 208.2.4) pg. 176

	<p>Accessible spaces measured too short at 17'1" L on one side, and 16'4" L on the opposite side.</p> <p>Access aisle is too narrow at 4' wide.</p> <p>Signage on pavement does not clearly depict wheelchair occupant, this needs to be repainted.</p> <p>The words "NO PARKING" in access aisles on pavement are too small at 8" and faded. They need to be resized and repainted.</p>	<p>Car parking spaces shall be 9' wide min. and van parking spaces shall be 12' wide min., shall be marked to define the width, and shall have an adjacent access aisle complying with the "Access Aisle" heading in this section.</p> <p>Car and van parking spaces shall be 18' long min. (CA T24 11B-502.2) (ADA 502.2)</p> <p><i>Exception</i> Van parking spaces shall be permitted to be 9' wide min. where the access aisle is 8' wide min. (CA T24 11-B502.2 (EXC.)) (ADA 502.2 (Exc.)) Access aisles serving car and can parking spaces she be 5" wide min. (CA T24 11B-502.3.1) (ADA 502.3.1)</p> <p>Access aisle min. dimensions: 5' wide by 18' long. Fig. 12 (CA T24 11B-502.2) (ADA 4.6.3) pg. 176</p> <p>The parking space shall be marked with an International Symbol of Accessibility...in white on a blue background - a minimum 36" wide x 36" high. (CA T24 11B-502.6.4.1) pg. 169</p> <p>The words "NO PARKING" shall be painted on the surface each access aisle. (CA T24 11B-502.3.3) pg. 176</p> <p>This notice shall be painted in white letters a min. of 12" in height and located to be visible</p>
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	Access aisle does not adjoin to an accessible route to the main entrance.	from the adjacent vehicular way. (CA 11B-502.3.3) The parking access aisles shall adjoin an accessible route. (CA T24 11B-502.3) (ADA 502.3) pg. 176
Exterior entrance	Outside drop box slot reach is too high at 52".	Where a forward reach is unobstructed, the high forward reach shall be 48" max. and the low forward reach shall be 15" min. above the finish floor or ground. (CA T24 11B-308.2.1) (ADA 308.2.1) pg. 271
Client lobby	At immediate entrance there is a slot container where forms/applications are available for clients. The instructional signage for this slot container is in English and not translated in the threshold language (Spanish). Instructional signage needs to be translated.	All instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking applicants/recipients shall be translated into appropriate languages. Such signs, or an additional sign, shall state that applicants/recipients may request aid or services in their primary language. (Div. 21-107.212))
Telephone	Public Telephone coin slot reach is too high at 52".	Where a forward reach is unobstructed, the high forward reach shall be 48" max. and the low forward reach shall be 15" min. above the finish floor or ground. (CA T24 11B-308.2.1) (ADA 308.2.1) pg. 271
Women's Restroom	Door pressure is excessive at 10 lbs.	The force for pushing or pulling open a door or gate other than fire doors shall be as follows: 1. Interior hinged doors and gates: 5 lbs. max. 2. Sliding or folding doors: 5 lbs. max. 3. Required fire doors: the minimum opening force

	<p>Accessible toilet seat is too low at 15 ½" in.</p>	<p>allowable by the appropriate administrative authority, not to exceed 15 lbs. Exterior hinged doors: 5 lbs. max. (CA T24 11B-404.2.9 (1 - 4)) (ADA 404.2.9 (1 & 2)) pg. 224</p> <p>The seat height of a water closet above the finish floor shall be 17" min. and 19" max. measured to the top of the seat. (CA T24 11B-604.4) (ADA 604.4) pg. 342</p>
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3. Facility Location: Mojave Office

Facility Element	Findings	Corrective Action
Parking	There is no "Unauthorized" signage at entrance to off-street accessible parking.	<p>An additional sign shall be posted either in a conspicuous place at each entrance to an off-street parking facility OR immediately adjacent to on-site accessible parking and visible from each parking space. (CA T24 11B-502.8) pg. 170</p> <p>The additional sign shall not be less than 17" wide x 22" high. Fig. 4 (CA T24 11B-502.8.1) pg. 170</p> <p>The additional sign shall clearly state in letters with a min. height of 1" the following: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or special license plates issued for persons with disabilities will be towed away at the owner's expense. Towed vehicles may be reclaimed at: _____ or by telephoning _____." (CA T24</p>

	<p>There is no additional signage or additional language below the symbol of accessibility stating "Minimum Fine \$250"</p> <p>Signage on pavement does not clearly depict wheelchair occupant, needs to be repainted.</p> <p>Access aisle does not connect to path of travel.</p> <p>Traffic aisles should be 36" wide</p> <p>Ramp protrudes into the access aisle.</p>	<p>11B-502.8.2) pg 170</p> <p>Blank spaces shall be filled in with appropriate information as a permanent part of the sign. (CA T24 11B-502.8.2) pg. 170</p> <p>Additional language or an additional sign below the International Symbol of Accessibility shall state "Minimum Fine \$250". (CA T24 11B-502.6.2) pg. 169</p> <p>The parking space shall be marked with an International Symbol of Accessibility...in white on a blue background - a minimum 36" wide x 36" high. (CA T24 11B-502.6.4.1) pg. 169</p> <p>The parking access aisles shall adjoin an accessible route. (CA T24 11B-502.3) (ADA 502.3) pg 176</p> <p>The clear width for aisles shall be 36" min. if serving elements on only one side. (CA T24 11B-403.5.1 (EXC.4)) pg. 207</p> <p>Access aisles shall not overlap the vehicular way. (CA T24 11B-502.3.4) (ADA 502.3.4) pg. 176</p>
Main entrance	Door pressure is excessive at 7 lbs.	<p>The force for pushing or pulling open a door or gate other than fire doors shall be as follows:</p> <ol style="list-style-type: none"> 1. Interior hinged doors and gates: 5 lbs. max. 2. Sliding or folding doors: 5 lbs. max.

	Bottom of door does not have 10" smooth surface.	<p>3. Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 lbs. Exterior hinged doors: 5 lbs. max. (CA T24 11B-404.2.9 (1 - 4)) (ADA 404.2.9 (1 & 2)) pg. 224</p> <p>Swinging door and gate surfaces within 10" of the finish floor or ground measured vertically shall have a smooth surface on the push side extending the full width of the door or gate. (CA T24 11B-404.2.10) ADA 404.2.10) pg. 226</p>
Men's Restroom	<p>Door pressure is excessive at 13 lbs.</p> <p>Towel dispenser is too high at 44 ½".</p>	<p>The force for pushing or pulling open a door or gate other than fire doors shall be as follows:</p> <ol style="list-style-type: none"> 1. Interior hinged doors and gates: 5 lbs. max. 2. Sliding or folding doors: 5 lbs. max. 3. Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 lbs. Exterior hinged doors: 5 lbs. max. (CA T24 11B-404.2.9 (1 - 4)) (ADA 404.2.9 (1 & 2)) pg. 224 <p>Where towel or sanitary napkin dispensers, waste receptacles, or other accessories are provided in toilet facilities, at least one of each type shall be located on an accessible route. (CA T24 11B-603.5) pg. 319</p> <p>All operable parts, including coin slots, shall be 40" max.</p>

	Towel dispenser is too high at 43".	<p>2. Sliding or folding doors: 5 lbs. max.</p> <p>3. Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 lbs. Exterior hinged doors: 5 lbs. max. (CA T24 11B-404.2.9 (1 - 4)) (ADA 404.2.9 (1 & 2)) pg. 224</p> <p>Where towel or sanitary napkin dispensers, waste receptacles, or other accessories are provided in toilet facilities, at least one of each type shall be located on an accessible route. (CA T24 11B-603.5) pg. 319</p> <p>All operable parts, including coin slots, shall be 40" max. above the finish floor. (CA T24 11B-603.5) pg. 319</p>
Women's Restroom	<p>Door pressure is excessive at 10 lbs.</p> <p>Towel dispenser is too high at 43".</p> <p>Soap dispenser is too high at 41"</p>	<p>The force for pushing or pulling open a door or gate other than fire doors shall be as follows:</p> <p>1. Interior hinged doors and gates: 5 lbs. max.</p> <p>2. Sliding or folding doors: 5 lbs. max.</p> <p>3. Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 lbs. Exterior hinged doors: 5 lbs. max. (CA T24 11B-404.2.9 (1 - 4)) (ADA 404.2.9 (1 & 2)) pg. 224</p> <p>Where towel or sanitary napkin dispensers, waste receptacles, or other accessories are provided in toilet facilities, at least one of each type shall be</p>

		located on an accessible route. (CA T24 11B-603.5) pg. 319 All operable parts, including coin slots, shall be 40" max. above the finish floor. (CA T24 11B-603.5) pg. 319
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A. Recommendation

In the main lobby; there is a lower counter which meets the ADA requirement for an accessible counter. It is recommended by the reviewer that an accessible signage be placed at this counter.

5. Facility Location: Ridgecrest

Facility Element	Findings	Corrective Action
Parking	Signage on pavement does not clearly depict wheelchair occupant, needs to be repainted. The words "No Parking" measured at 8" and are too short. Needs to be repainted to correct measurement.	The parking space shall be marked with an International Symbol of Accessibility...in white on a blue background - a minimum 36" wide x 36" high. (CA T24 11B-502.6.4.1) pg. 169 The words "NO PARKING" shall be painted on the surface each access aisle. (CA T24 11B-502.3.3) pg. 176 This notice shall be painted in white letters a min. of 12" in height and located to be visible from the adjacent vehicular way. (CA 11B-502.3.3)
Restroom	Mirror located above lavatory/countertop bottom edge of reflecting surface is too high at 45".	Mirrors located above lavatories or countertops shall be installed with the bottom edge of the reflecting surface 40" max. above the finish floor or ground. Fig. 8 (CA T24 11B-603.3) (ADA 603.3) pg. 319

V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	Yes			At initial contact, the HST is required to identify what spoken and written language the client prefers.
Does the county use a primary language form?			Sometimes	KCDHS 439 Documentation of Language Assistance Form is required to be completed at initial contact and documented. However, the findings in the case file review reflected an inconsistency 30 case files did not have the form.

Question	Yes	No	Some-times	Comments
Does the client self-declare on this form?	Yes			
Are non-English- or limited- English-speaking clients provided bilingual services?	Yes			
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	Yes			Upon determining clients primary language the worker will secure a bilingual staff worker to assist or contact the Language Line Service.
Is there a delay in providing services?		No		
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	Yes			KCDHS has a contract with Language Interpreter Services, as well as Certified Bilingual Staff.
Are county interpreters determined to be competent?	Yes			Staff is certified as qualified bilingual through testing and evaluation from Bakersfield College.
Does the county have adequate interpreter services?	Yes			
Does the county allow minors to be interpreters? If so, under what circumstances?		No		The use of minors is prohibited unless used under extenuating circumstances.
Does the county allow the client to provide his or her own interpreter?	Yes			If the client chooses to use their own interpreter.

Question	Yes	No	Some-times	Comments
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	Yes			Per KCDHS Policy Implementation Memorandum (PIM) No. 08-04, the HST must assist the client to complete the KCDHS 440: Waiver of Right to Free Interpreter Services Form.
Does the county use the CDSS-translated forms in the clients' primary languages?	Yes			
Is the information that is to be inserted into NOA translated into the client's primary language?	Yes			
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	Yes			
Does the county identify a client with a disability (physical, mental, or learning)?	Yes			During application and renewal, there are a series of questions that elicit discussion about disabilities/barriers? Also, in the Welfare-to-Work assessment clients are screened.
Does the county provide reasonable accommodations to clients with a disability (physical, mental, or learning)?	Yes			

Question	Yes	No	Some-times	Comments
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	Yes			Staff interviewed stated they would assist clients by reading and/or helping completing the application.
Does the county offer screening for learning disabilities?	Yes			During Welfare-to-Work appraisal, the client is evaluated for learning/mental/physical disabilities
Is there an established process for offering screening?	Yes			
Is the client identified as having a learning disability referred for evaluation?	Yes			

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	CalFresh	Children's (CPS)	CalWORKS	WTW/ EMPLOYMENT SERVICES
Ethnic origin documentation	SAWS1, C-IV Demographics	CWS/CMS Demographics	SAWS1, C-IV Demographics, SAWS1	C-IV Demographics, SAWS1
Primary language documentation	Required KCDHS 439 not found consistent in case files reviewed.	Required KCDHS 439 in not found consistent in case files reviewed.	Required KCDHS 439 not found consistent in case files reviewed.	Required KCDHS 439 not found consistent in case files reviewed.

Documented Item	CalFresh	Children's (CPS)	CalWORKS	WTW/ EMPLOYMENT SERVICES
Method of providing bilingual services and documentation	C-IV Journal, required documentation not consistently found in case files reviewed	CWS-CMS required documentation not consistently found in case files reviewed	C-IV Journal, required documentation not consistently found in case files reviewed	C-IV Journal, required documentation not consistently found in case files reviewed
Client provided own interpreter	In one case, C-IV Journal comments indicated a family member was used.	Not found in cases reviewed	Required documentation not found in case files reviewed	Not found in cases reviewed
Method to inform client of potential problem using own interpreter	Not found in cases reviewed	Case comments indicated client was informed verbally.	Not found in cases reviewed	Not found in cases reviewed
Release of information to Interpreter	KCDHS 440: Waiver of Right to Free Interpreter Services Form	In one case comment it indicated the client was informed verbally.	Not found in cases reviewed	Not found in cases reviewed
Individual's acceptance or refusal of written material offered in primary language	Required KCDHS 439 not consistent in case files reviewed	Required KCDHS 439 not consistent in case files reviewed	Required KCDHS 439 not consistent in case files reviewed	Required KCDHS 439 not consistent in case files reviewed
Documentation of minor used as interpreter	No cases found	No cases found	No cases found	No cases found
Documentation of circumstances for using minor interpreter temporarily	No cases found	No cases found	No cases found	No cases found

Documented Item	CalFresh	Children's (CPS)	CalWORKS	WTW/ EMPLOYMENT SERVICES
Method of identifying client's disability	Not found in cases reviewed	Not found in cases reviewed	Not found in cases reviewed	Not found in cases reviewed

B. Corrective Actions

Areas of Action	Corrective Action
Documentation if client provided own interpreter	When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23
Documentation of interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24
Documentation of primary language	Each agency shall ensure that case record identification shows the applicant's/recipients' ethnic origin and primary language. Div. 21-201.21
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22
General	KCDHS must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	Yes			Staff interviewed stated they receive training annually.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	Yes			
Does the county provide employees Cultural Awareness Training?	Yes			
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	Yes			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	Yes			Staff interviewed seemed knowledgeable of the cultural groups receiving services in their area.

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of

discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?		No		Three staff interviewed was unable to identify the difference between the different complaints; program, discrimination, and a personnel complaint.
Did the employees know who the Civil Rights Coordinator is?	Yes			
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	Yes			
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	Yes			
Is the County utilizing correct correspondence to address the final results to the complainant after the investigation is completed?	Yes			

B. Corrective Action

Element	Corrective Action
Discrimination Process	KCDHS shall ensure staff have knowledge of the discrimination complaint process and are able to differentiate it from other complaint processes. Div. 21-117 and 21-203

IX. COMMUNITY INPUT

As a part of this review, and as noted in Section II, feedback was sought from community and advocate groups.

KCDHS holds on going meetings with their local community and advocate groups to work together to ensure meaningful and effective access to services informing non-English-speaking and limited-English proficient and disabled applicants/recipients of services and aids available at each stage. Further discussions identify issues or areas where they can collaborate together to improve services.

X. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

Thank you for submitting your agency's Civil Rights Compliance Plan. Before approval, however, we are requesting the following augmentations to your plan:

- a. Assignment of Resources: Civil Rights Coordinator address contact information needs to be corrected.
- b. Dissemination of Information: How is outreach information disseminated? Provide details, dates, location and methods other than mailings.

Please submit these items with your corrective action plan for this review.

XI. CONCLUSION

The CDSS reviewer found the Kern County Department of Human Services staff warm, welcoming, informative and very supportive. Particular thanks to Dianne Rosso, Civil Rights Coordinator, for organizing the details of the review, and to Michael Nisser, Facilities Manager, who assisted in each of the facility reviews. In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the Kern County Department of Human Services in substantial compliance with CDSS Division 21 Regulations, and other applicable state and federal laws. County staff continues to reflect a commitment similar to that expressed by management with respect to ensuring access, assistance, and compliance.

The Kern County Department of Human Services must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule of all actions that will be taken to correct the deficiencies, and an indication of who will be responsible for implementing the corrective action.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.